REMARKS

The description part of the specification has been amended at page 6, lines 9 to 25 and page 7, lines 8 to 13 and lines 15 to 17 to render the numerals employed in these portions of the description consistent with Figure 3 of the drawings. It is respectfully submitted that the amendments/corrections made to these portions of the description would be readily apparent to a skilled addressee, and thus do not impact the substantive content of the application.

The claims of the application have been amended and some new claims added to more clearly define the present invention and to distinguish it over the prior art referred to by the Examiner in the outstanding Office Action.

The Examiner has rejected the main independent claims as filed as being anticipated by Brueckheimer et al (US 6,519,261). Referring to the amended and newly filed claims, it should be noted that Brueckheimer does not disclose a method or apparatus for transporting traffic on a path from a subscriber location/station/installation where said path comprises a low bandwidth, upstream communication path from said subscriber location/station/installation. Brueckheimer does disclose translating IP packet streams encapsulating delay sensitive traffic such as voice and delay insensitive traffic such as data traffic into ATM cells streams but does this in the context of a carrier level network environment where both the voice traffic and data traffic will comprise traffic from a plurality of sources and such traffic will be conveyed on high speed IP links to the IP/ATM network interface devices taught in Brueckheimer. Brueckheimer addresses the problem of interfacing between an IP network, a TDM network and an ATM network in a single network interface device. Thus, Brueckheimer teaches a carrier network level solution to a carrier network level problem in contrast with the present invention which seeks to address the problem of negating unnecessary time delay of voice traffic encapsulated in an IP packet stream at an end user (subscriber) level. Thus, it can

be concluded that Brueckheimer does not teach the method of taking a subscriber's voice traffic, digitally encoding it and assembling it into an IP packet stream, simultaneously taking the subscriber's data traffic and assembling it into a separate IP packet stream and then segmenting each of said IP packet streams into respective ATM packet streams to be multiplexed at the subscriber location/station/installation for transport on a subscriber upstream communication path which may comprise a telephone subscriber loop (local loop). Thus, it can be further concluded that Brueckheimer does not anticipate the present invention as defined by amended independent claims 1 and 15 and new independent claims 16 and 21.

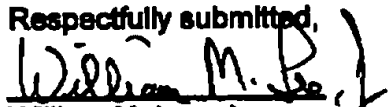
The Examiner's rejection of various of the dependent claims, as filed, as being unpatentable over Brueckheimer in view of DeNap et al (US 6,490,273) is submitted to be moot in view of the foregoing. Similarly, the Examiner's rejection of claims 7 to 9 as being unpatentable over Brueckheimer in view of DeNap and further in view of Bergenwall et al (US 6,463,082) is also submitted to be moot in view of the foregoing.

No fee is due since the number of independent claims remains the same, and there are fewer than 20 independent claims.

Favorable reconsideration of this application is therefore requested.

July 22, 2003

Respectfully submitted,



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